

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Schriever Farms, LLC,

Case No. BKY 14-34614 KHS

Debtor.

Chapter 12 Case

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**INTERIM ORDER (I) AUTHORIZING  
DEBTOR TO UTILIZE CASH COLLATERAL PURSUANT TO 11 U.S.C. § 363, (II)  
GRANTING ADEQUATE PROTECTION TO PRE-PETITION SECURED  
PARTIES PURSUANT TO 11 U.S.C. §§ 361, 362, 363 AND (III) SCHEDULING  
FINAL HEARING PURSUANT TO BANKRUPTCY RULE 4001(b)**

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This matter came to be heard upon the motion (the “Motion”) of Schriever Farms, LLC, pursuant to §§ 361, 362, and 363(c) of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”), and Rules 2002, 4001 and 9014 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), for:

- a. Authorization of Debtor’s use of cash collateral for the payment of Debtor’s operating expenses as set forth in Exhibit “A” attached to the Motion;
- b. Granting of adequate protection to pre-petition secured parties; and
- c. Scheduling a final hearing (“Final Hearing”).

Upon consideration of Verified Motion; the Court having jurisdiction to consider the Motions and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334; due notice of this Motion has been provided to (1) the Chapter 12 Trustee, (2) the U.S. Trustee, and (3) First Southeast Bank (“Bank”); (4) and the stipulation between the Chapter 12 Trustee, the Bank and the Debtors and it appearing that no other or further notice need be provided; the Court having determined that the relief sought in the Motion is in the best interests of Debtor, its

creditors, and all parties in interest; upon the Motion and all of the proceedings before this Court; and after due deliberation and sufficient cause appearing therefore, it is hereby

**ORDERED** that the Motion is **GRANTED**; and it is further

**ORDERED** that Debtor is authorized to use cash collateral for the payment of Debtor's operating expenses consistent with Exhibit "A" attached to the Supplemental Affidavit of Paul Schriever; and it is further

**ORDERED** Debtors are authorized to use, and the Bank has consented to Debtors' use of, raised feed currently existing at Debtor's property as feed for the cattle that the Debtors currently have on hand.

**ORDERED** Debtors are authorized and directed to grant the Bank a replacement lien on all amounts of feed utilized. Such replacement lien shall have the same priority, dignity and effect as the pre-petition lien of the Bank.

**ORDERED** Debtors shall place all cattle proceeds from the sale of any cattle to the Bank to be held in escrow until a final Order is issued concerning Debtor's motion for use of cash collateral.

**ORDERED** that the Court finds that the Bank is otherwise adequately protected by virtue of its equity cushion on the cattle, equipment and farm machinery; and it is further

**ORDERED** that Debtor shall continue to pay the Bank bi-weekly payments of \$5,884.00. Such payments shall be held in escrow until a final Order is issued concerning Debtor's motion for use of cash collateral.

**ORDERED** that this interim order shall remain effective until December 17, 2014 at 2:00.

**ORDERED** that the final hearing on Debtors' motion to use cash collateral shall be scheduled to occur after December 17, 2014 at 2:00 p.m. regarding those portions of the Motion which the parties are unable to resolve.

*December 11, 2014*  
Dated this \_\_\_\_ of December, 2014.

/e/ Kathleen H. Sanberg  
United States Bankruptcy Judge

NOTICE OF ELECTRONIC ENTRY AND  
FILING ORDER OR JUDGMENT  
Filed and Docket Entry made on **12/11/2014**  
Lori Vosejpk, Clerk, by LH